HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE G.V. SEETHAPATHY

WRIT PETITION NO. 10919 OF 2006

BETWEEN

Prashanth Nagar Welfare Association
rep. by its General Secretary N. Satya Murthy

.....

Petitioner

And

The Manager, State Bank of Hyderabad, Prashanth Nagar Branch, Malkajgiri, Hyderabad & another

.....Respondents

::O R D E R ::

Counsel for Petitioner : Shri Chekuri Yadagiri

Counsel for Respondents : None

Dated: 06-06-2006

Per G.S. SINGHVI, CJ

Prasanth Nagar Welfare Association, Hyderabad has filed

this petition in the name of public interest for directing the respondents not to shift the branch of the bank from Prashanth Nagar, Malkajgiri, Hyderabad to some other place.

We have heard Sri C. Yadagiri, advocate for the petitioner and perused the record. In our opinion, the writ petition is wholly meritless and is liable to be dismissed summarily because,

(a) State Bank of Hyderabad, which has a corporate personality and can be sued in its name, has not been impleaded as party to the writ petition. The Manager, State Bank of Hyderabad, Prashanth Nagar Branch, Malkajgiri, Hyderabad and the Managing Director, State Bank of Hyderabad, Head Office, Gunfoundry, Hyderabad are only functionaries of the bank. They can represent the bank on being authorized by the competent authority, but no writ can be issued against them in the absence of the bank being impleaded as party respondent;

(b) the opening of the branch of the bank at any particular place or shifting of the branch from one place to the other is purely an administrative matter and, in such matters, the Court has no role to play;

(c) the petitioner has failed to show that the decision of the bank to shift its branch from Prashanth Nagar is contrary to any provision of the Constitution or any law enacted by the Parliament or the State Legislature.

For the reasons afore-stated, the writ petition is dismissed.

G.S. SINGHVI, CJ

G.V. SEETHAPATHY, J

06.06.2006
ksld/svs